

Assembly Bill No. 1082

CHAPTER 764

An act to amend Sections 22869 and 22872 of the Government Code, relating to public employee health care benefits, and making an appropriation therefor.

[Approved by Governor October 10, 2003. Filed
with Secretary of State October 11, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1082, Laird. Public employee health care benefits: domestic partners.

Existing law authorizes public agencies that contract with the Public Employees' Retirement System (PERS) for employee and annuitant health care benefits to provide those benefits to domestic partners. For these purposes, a domestic partnership is defined according to existing state law. Employer, employee, and annuitant contributions for health care benefits are deposited in one of 2 continuously appropriated funds.

This bill would authorize a contracting agency, that adopted a local definition of domestic partnership prior to January 1, 2000, to provide health care benefits to those domestic partners. By expanding the eligibility for benefits, the bill would increase the contributions that are deposited into a continuously appropriated fund and, thereby, make an appropriation.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 22869 of the Government Code is amended to read:

22869. For purposes of this part, a "domestic partnership" shall be either of the following:

(a) Two people who meet all of the criteria set forth in Section 297 of the Family Code.

(b) Two people who meet all of the criteria of a "domestic partnership," as defined by the governing board of a contracting agency, if the contracting agency adopted that definition prior to January 1, 2000.

SEC. 2. Section 22872 of the Government Code is amended to read:

22872. (a) In order to receive any benefit provided by this article, an employee or annuitant shall present the board with proof in a manner designated by the board that the employee or annuitant and his or her



domestic partner have filed a valid Declaration of Domestic Partnership pursuant to Division 2.5 (commencing with Section 297) of the Family Code or have established a valid domestic partnership, as defined by his or her contracting agency in accordance with subdivision (b) of Section 22869.

(b) The employee or annuitant shall also provide a signed statement indicating that the employee or annuitant agrees that he or she may be required to reimburse the employer, their designated health services plan, and the system, for any expenditures made by the employer, their designated health services plan, and the system, for medical claims, processing fees, administrative charges, costs, and attorney's fees on behalf of the domestic partner if any of the submitted documentation is found to be incomplete, inaccurate, or fraudulent.

(c) The employee or annuitant shall notify the employer or the board when a domestic partnership has terminated, as required by subdivision (c) of Section 299 of the Family Code or as required by his or her contracting agency in accordance with subdivision (b) of Section 22869.

